

Message Text

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PAGE 01 STATE 128842
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E.O. 11652: N/A

TAGS: EAIR, SG

SUBJECT: CIVAIR: US-SENEGAL AIR TRANSPORT AGREEMENT
AND MEMORANDUM OF UNDERSTANDING

1. DEPARTMENT HAS COMPLETED ITS COMPARISON OF ENGLISH
AND FRENCH TEXTS OF SUBJECT DOCUMENTS. THE TEXTS
HAVE THE SAME MEANING IN ALL SUBSTANTIVE RESPECTS,
WITH THE FOLLOWING EXCEPTIONS (REFERENCES ARE TO
ENGLISH TEXTS):

AGREEMENT, ART 1(B): PREFER FRENCH TEXT WHICH TRANSLATED
INTO ENGLISH READS AS FOLLOWS:

"THE TERM 'TERRITORY,' IN RELATION TO A STATE, SHALL
MEAN THE LAND AREAS AND TERRITORIAL WATERS ADJACENT
THERE TO UNDER THE SOVEREIGNTY, SUZERAINITY, PROTECTION,
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PAGE 02 STATE 128842

JURISDICTION OR TRUSTEESHIP OF THAT STATE."

AGREEMENT, ART 1(D), LINE 5: FRENCH "...IN ARTICLE 2
AND 6(B)..." SHOULD BE CHANGED TO "...IN ARTICLE 3
AND 6(B)..."

AGREEMENT, ART 1 (E), LINE 3: FRENCH "...PARAGRAPH (E)

OF ARTICLE 3..." SHOULD BE CHANGED TO "...PARAGRAPH (B)
OF ARTICLE 3..."

AGREEMENT, ART 3(D), LINE 2: FRENCH "UPON RECEIPT
BY..." SHOULD BE CHANGED TO "...UPON RECEIPT FROM..."

AGREEMENT, ART 5(A), LINES 8-9 AND ART 5(B), LINE 1:
FRENCH "... OF THE OTHER CONTRACTING PARTY..." SHOULD
BE CHANGED TO "... OF THE FIRST CONTRACTING PARTY..."

AGREEMENT, ART 6(B), LINES 2-4: FRENCH "...MAY REQUIRE
CONSULTATIONS CONCERNING THE SAFETY AND SECURITY STANDARDS
AND THE REQUIREMENTS RELATING TO AERONAUTICAL FACILITIES,
CREWS, AND AIRCRAFT, AND CONCERNING THE OPERATION OF..."
SHOULD BE CHANGED TO "...MAY REQUEST CONSULTATIONS
CONCERNING THE SAFETY AND SECURITY STANDARDS AND
REQUIREMENTS RELATING TO AERONAUTICAL FACILITIES,
AIRMEN, AIRCRAFT, AND THE OPERATION OF..."

AGREEMENT, ART 6(B), LINES 9-10, AND 13-14: FRENCH
"..THE SAFETY AND SECURITY STANDARDS AND THE REQUIRE-
MENTS..." SHOULD BE CHANGED TO "... SAFETY AND SECURITY
STANDARDS AND REQUIREMENTS..."

AGREEMENT, ART 6(B), LINES 11-12 AND 16-17: FRENCH
"...MINIMUM STANDARDS ESTABLISHED BY THE CONVENTION..."
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PAGE 03 STATE 128842

SHOULD BE CHANGED TO ..." MINIMUM STANDARDS WHICH MAY
BE ESTABLISHED PURSUANT TO THE CONVENTION..."

AGREEMENT, ART 6(B), LINE 18: FRENCH "... TAKE ALL
APPROPRIATE STEPS." SHOULD BE CHANGED TO "...TAKE
APPROPRIATE CORRECTIVE ACTION."

AGREEMENT, ART 8(A),(2), LINE 2: FRENCH "...WHICH
MAY REQUIRE..." SHOULD BE CHANGED TO "...WHO MAY
REQUIRE..."

AGREEMENT, ART 8(B), LINE 6, AND 8(C), LINE 5: FRENCH
"...OPERATION, MAINTENANCE OR FUELLING..." SHOULD BE
CHANGED TO "... OPERATION, MAINTENANCE OR SERVICING..."

AGREEMENT, ART 8(C), LINE 7: FRENCH "...THE AFORESAID
CONTRACTING PARTY..." SHOULD BE CHANGED TO "...THE
OTHER CONTRACTING PARTY..."

AGREEMENT, ART 9(A), LINE 6-8: FRENCH "REFERRING TO
THE COMMITMENT... TO DEVELOP PASSENGER AND CARGO
CARRIAGE..." SHOULD BE CHANGED TO "TO FURTHER THE

COMMITMENT...TO EXPAND PASSENGER AND CARGO OPPORTUNITIES
..."

AGREEMENT, ART 9(A), LINES 9-10: FRENCH "...RATES
SHOULD BE ESTABLISHED," SHOULD BE CHANGED TO "...RATES
FOR PASSENGER AND CARGO CARRIAGE SHOULD BE PROMOTED."

AGREEMENT, ART 10(A), LINE 7: FRENCH "... IN A FREELY
CONVERTED CURRENCY..." SHOULD BE CHANGED TO "... IN
FREELY CONVERTIBLE CURRENCIES..."

AGREEMENT, ART 10 (B), LINE 3: FRENCH "...TO TRANSFER
FREELY REVENUES REALIZED ON THE TERRITORY OF THE OTHER
CONTRACTING PARTY..." SHOULD BE CHANGED TO "...TO
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PAGE 04 STATE 128842

REPATRIATE FREELY LOCAL REVENUES..."

AGREEMENT, ART 10(B), LINES 6-7: FRENCH "...AT THE
TIME OF CONVERSION OR TRANSFER OF SUCH REVENUES."
SHOULD BE CHANGED TO "...AT THE TIME SUCH REVENUES ARE
PRESENTED FOR CONVERSION AND REMITTANCE."

AGREEMENT, ART 10(D), LAST LINE: FRENCH "... A SUB-
CONTRACTING AGENT APPROVED..." SHOULD BE CHANGED TO
"... A SERVICING AGENT AS AUTHORIZED..."

AGREEMENT, ART 11(D), LINES 3-4: FRENCH "...THE COUNTRY
TO WHICH THE AIRLINE BELONGS..." SHOULD BE CHANGED TO
"... THE COUNTRY OF WHICH SUCH AIRLINE IS A NATIONAL..."

AGREEMENT, ART 11(D)(2): FRENCH "...LONG-HAUL AIRCRAFT
OPERATIONS..." SHOULD BE CHANGED TO "... THROUGH
AIRLINE OPERATIONS..."

AGREEMENT, ART 12, PARA 3, LINE 2: FRENCH "...APPLICABLE
TO SCHEDULED SERVICES..." SHOULD BE CHANGED TO "...AP-
PLICABLE ONLY TO SCHEDULED SERVICES, ..."

AGREEMENT, ART 17, LINES 1-2: FRENCH "...ENTER INTO
FORCE AFTER AN EXCHANGE..." SHOULD BE CHANGED TO
"...ENTER INTO FORCE UPON AN EXCHANGE..."

ROUTE SCHEDULE, PARAS 1 AND 2, LINE 3: FRENCH
"...PLANNED AIR SERVICES..." SHOULD BE CHANGED TO
"...SCHEDULED AIR SERVICES..."

ROUTE SCHEDULE, PARA 1, LINE 5, AND PARA 2, LINE 5:
FRENCH "...POINTS SPECIFIED..." SHOULD BE CHANGED
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PAGE 05 STATE 128842

TO "...POINT SPECIFIED..."

ROUTE SCHEDULE, PARA 1, LINES 7-9: FRENCH "FROM SENEGAL TO NEW YORK THEN BEYOND TO MONTREAL VIA TRINIDAD AND

TOBAGO, HAITI AND A POINT IN THE FRENCH ANTILLES. (FOOTNOTE 1)" SHOULD BE CHANGED TO "FROM SENEGAL VIA TRINIDAD AND TOBAGO, HAITI, AND A POINT IN THE FRENCH ANTILLES (FOOTNOTE 1) TO NEW YORK AND BEYOND TO MONTREAL. (FOOTNOTE 2)"

ROUTE SCHEDULE, PARA 2, LINES 6-8: FRENCH "FROM THE UNITED STATES TO DAKAR THEN BEYOND TO LIBERIA, IVORY COAST (FOOTNOTE 1), GHANA, NIGERIA, ZAIRE AND KENYA, VIA POINTS IN THE ATLANTIC OCEAN (FOOTNOTE 2)." SHOULD BE CHANGED TO "FROM THE UNITED STATES VIA POINTS IN THE ATLANTIC OCEAN (FOOTNOTE 1) TO DAKAR AND BEYOND TO LIBERIA, IVORY COAST (FOOTNOTE 2), GHANA, NIGERIA, ZAIRE AND KENYA (FOOTNOTE 3)."

UNDERSTANDING (MOU), PARA 3(A), LINE 1: WHERE THE ENGLISH READS "AIRLINES," THE FRENCH READS ONLY "ENTERPRISES" (COMPANIES). TO MAKE THE FRENCH TEXT OF THE MOU CONSISTENT WITH THAT OF THE AGREEMENT, THE TERM SHOULD BE EXPANDED TO "ENTERPRISES DE TRANSPORT AERIEN."

MOU, PARA 3(A), LINES 2-3: FRENCH "...CHARTER FLIGHTS THAT THEY PROPOSE AND THE OPERATIONS CONTEMPLATED..." SHOULD BE CHANGED TO "...PROPOSED CHARTER AND SCHEDULED OPERATIONS..."

MOU, PARA 3(A), LINES 4-5 AND THROUGHOUT PARAGRAPH: FRENCH "...PROGRAMS AND ROUTES CONTEMPLATED." SHOULD BE CHANGED TO "...SCHEDULES AND ROUTES CONTEMPLATED."

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PAGE 06 STATE 128842

ATTACHMENT 1, SENEGALESE DELEGATION: ENGLISH "MR. MAWA KEBE, ASSISTANT TO CHIEF OF CIVIL AVIATION DIVISION" SHOULD BE CHANGED TO "MR. MAWA KEBE, CHIEF OF THE AIR TRANSPORT OFFICE, CIVIL AVIATION DIVISION"

ATTACHMENT 1, SENEGALESE DELEGATION: ENGLISH "MR. ALIOUNE DIAGNE, DIVISION OF INTERNATIONAL

CONVENTIONS" SHOULD BE CHANGED TO "MR. ALIOUNE DIAGNY,
DIVISION OF INTERNATIONAL AGREEMENTS AND CONVENTIONS"

ATTACHMENT 2, US DELEGATION: FRENCH "MR. ROBERT A. BROWN,
CHIEF, AVIATION NEGOTIATIONS DIVISION (CHAIRMAN)"
SHOULD BE CHANGED TO "MR. ROBERT A. BROWN, CHIEF,
AVIATION NEGOTIATIONS DIVISION, DEPARTMENT OF STATE
(CHAIRMAN)"

ATTACHMENT 2, US DELEGATION: FRENCH "MR. P. OPPLER,
CHIEF, COORDINATION AND REGULATIONS DIVISION, OFFICE
OF TRAFFIC REGULATIONS,..." SHOULD BE CHANGED TO
"MR. EDWARD P. OPPLER, CHIEF, REGULATORY COORDINATION
DIVISION, OFFICE OF REGULATORY POLICY,..."

2. EMBASSY SHOULD DISCUSS ABOVE DISCREPANCIES WITH
SENEGALESE OFFICIALS AND MAKE CHANGES AS APPROPRIATE.
IF SENEGALESE AGREE TO ALL CHANGES, EMBASSY IS
AUTHORIZED TO IMPLEMENT AGREEMENT. VANCE

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